

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANTHONY THOMAS,)	
)	
Plaintiff,)	
)	Case No. 16-cv-06439
v.)	Honorable Rebecca R. Pallmeyer
)	
MELVIN ABERNATHY, <i>et al.</i> ,)	
)	
Defendants.)	

**NOTICE OF FILING DECLARATION IN COMPLIANCE WITH THE COURT’S
DECEMBER 14, 2017 ORDER**

Defendants, Brian Sloma and Dennis Phillips, by and through their attorney, Lisa Madigan, Attorney General for the State of Illinois, and pursuant to the Court’s order issued on December 14, 2017, states as follows:

1. On December 14, 2017, the Court directed defense counsel to file a sworn explanation for the fact that no videotape has been located, despite rules that reportedly require recording and preservation of video for any incident of the nature of the one at issue in this lawsuit. [ECF Dkt. No. 57].

2. In an attempt to comply with the Court’s order, defense counsel contacted Leslie Turner, an Internal Security Investigator for the Illinois Department of Corrections (“IDOC”).

3. Mr. Turner informed defense counsel that he conducted a search of Stateville Correctional Center records from March 5, 2015 at Stateville NRC on I-wing near cell 109 or 104 and was unable to locate any video. [Exhibit 1, Declaration of Leslie Turner, ¶¶ 5-6].

4. Mr. Turner further stated that neither Stateville or IDOC have a policy regarding the keeping or retention of surveillance video at Stateville NRC for any incident of the nature of the one at issue in this lawsuit. [Ex. 1, ¶ 7].

Dated: January 8, 2018

LISA MADIGAN
Attorney General of Illinois

Respectfully submitted,

/s/ Nicholas S. Staley
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Attorney for Defendants Sloma and Phillips

CERTIFICATE OF SERVICE

The undersigned certifies that on January 8, 2018, he electronically filed the foregoing document with the Clerk of the Court for the Northern District of Illinois by using the CM/ECF system. A copy of the foregoing document was also served upon Anthony Thomas on January 9, 2018 by delivering a copy personally to said individual.

/s/ Nicholas S. Staley

NICHOLAS S. STALEY